

Jul 17 2002 17:48

P.04

Election/Amendment #12  
J 7.30.02

Attorney's Docket No.: L00461/70099

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Van den Eynde and Boon-Falleur  
Serial No. : 09/674,593  
Conf. No. : 9143  
Filing Date : June 7, 2001  
Title : TUMOR ASSOCIATED ANTIGEN ENCODED BY THE REVERSE  
STRAND OF A NEW UBIQUITOUSLY EXPRESSED GENE  
Examiner : S. Ungar  
Art Unit : 1642

**CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being facsimile transmitted to the United States Patent and Trademark Office in accordance with 37 C.F.R. §1.6(d) to the attention of Examiner S. Ungar, Technology Center 1600, Patent and Trademark Office, Washington, D.C. 20231, FAX number 703-872-9306, on the 17th day of July, 2002.

  
Monica E. Zombori

Commissioner for Patents  
Washington, DC 20231

Sir:

**RESPONSE TO RESTRICTION REQUIREMENT**

In response to the restriction requirement mailed June 18, 2002, Applicants hereby elect Group I claims (1-14, 25-31, 34, 47, 48, 54-58, 60-62 and 65) for prosecution, with traverse. As species, Applicants elect species A2 (RUR-1 antisense polynucleotides, e.g., SEQ ID NO:1) and species B1 (SEQ ID NO:1). Applicants believe that claims 1-4, 8-14, 25-31, 34, 47, 48, 54-56, 58, 60-62 and 65 read on the elected species. Applicants have added claims 66-79 that fall within the restriction requirement, all of which are believed to read on the elected species.

Applicants traverse the election requirement, because the different claim groups relate to the same inventive concept. RUR-1 nucleic acids, encoded polypeptides, antibodies that bind such polypeptides, and methods for using these all are concerned with the same inventive concept of RUR-1 related molecules, and share special technical features in that the polypeptides are encoded by the nucleic acids, the antibodies bind the polypeptides, and the methods use the foregoing molecules. Accordingly, Applicants respectfully request that at least Groups II and III be rejoined with Group I, and preferably that all of the restriction groups be combined with


07/30/2002 GDUCKETT 00000003 232825 09674593

01 FC:103 306.00 CH  
02 FC:104 280.00 CH  
629777.1

Received from < > at 7/17/02 5:53:26 PM [Eastern Daylight Time]

Group I, because it is believed that the inclusion of these groups of claims will not result in the exertion of additional searching and examination efforts on the part of the Examiner.

Respectfully submitted,

  
\_\_\_\_\_  
John R. Van Amsterdam, Reg. No. 40,212  
WOLF, GREENFIELD & SACKS, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210  
Tel: (617) 720-3500

Attorney's Docket No. L00461/70099  
Dated: July 17, 2002  
X07/18/02

Attorney's Docket No.: L00461/70099

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Van den Eynde and Boon-Falleur  
Serial No. : 09/674,593  
Conf. No. : 9143  
Filing Date : June 7, 2001  
Title : TUMOR ASSOCIATED ANTIGEN ENCODED BY THE REVERSE  
STRAND OF A NEW UBIQUITOUSLY EXPRESSED GENE  
Examiner : S. Ungar  
Art Unit : 1642

**CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being facsimile transmitted to the United States Patent and Trademark Office in accordance with 37 C.F.R. §1.6(d) to the attention of Examiner S. Ungar, Technology Center 1600, Patent and Trademark Office, Washington, D.C. 20231, FAX number 703-872-9306, on the 17th day of July, 2002.

  
Monica E. Zombori

Commissioner for Patents  
Washington, DC 20231

**THIRD PRELIMINARY AMENDMENT**

Sir:

This is responsive to the restriction requirement mailed on June 18, 2002. Please amend this application as follows.

In the Claims: ✓

Please add the following new claims:

Sub E1  
66.(new) The isolated nucleic acid molecule of claim 1, wherein the isolated nucleic acid molecule comprises the coding region of the nucleotide sequence of SEQ ID NO:1.

D  
67.(new) The isolated nucleic acid molecule of claim 1, wherein the isolated nucleic acid molecule consists of the nucleotide sequence of SEQ ID NO:1.

528131.1

68.(new) The isolated nucleic acid molecule of claim 1, wherein the isolated nucleic acid molecule comprises the nucleic acid sequence of SEQ ID NO:4.

69.(new) The isolated nucleic acid molecule of claim 1 wherein the isolated nucleic acid molecule comprises the coding region of the nucleic acid sequence of SEQ ID NO:4.

70.(new) The isolated nucleic acid molecule of claim 1, wherein the isolated nucleic acid molecule consists of the nucleotide sequence of SEQ ID NO:4.

71.(new) The isolated nucleic acid molecule of claim 8, wherein the isolated nucleic acid molecule is between 12 and 32 contiguous nucleotides.

72.(new) The isolated nucleic acid molecule of claim 8, wherein the isolated nucleic acid molecule comprises at least 5 contiguous nucleotides not present in SEQ ID NO:10 or SEQ ID NO:11.

73.(new) The host cell of claim 13, wherein the host cell expresses an HLA molecule. *with me*

74.(new) The kit of claim 25, a wherein the pair of isolated nucleic acid molecules is constructed and arranged to selectively amplify an isolated nucleic acid molecule comprising the nucleotide sequence of SEQ ID NO:1.

75.(new) The kit of claim 74, wherein the pair of isolated nucleic acid molecules is SEQ ID NO:8 and SEQ ID NO:9.

76.(new) The kit of claim 25 wherein the pair of isolated nucleic acid molecules is PCR primers, wherein one of the primers is a unique fragment of SEQ ID NO:1.

77.(new) The method of claim 29 wherein the interaction is determined by amplifying at least a portion of the nucleic acid molecule.

528131.1